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September 18, 2020

Via ECF and E-mail

The Honorable Katherine Polk Failla
U.S. District Court, Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007
Failla_NYSDChambers@nysd.uscourts.gov

Re: *Rubenstein v. Siokas, et al.* (No. 1:19-cv-06976)
Settlement with Fee Application

Dear Judge Failla:

We represent defendant Grigorios Siokas ("Siokas") and nominal defendant Cosmos Holdings, Inc. ("Cosmos," and, together, "Defendants") in the referenced action. We submit this letter to inform the Court that the parties have agreed to settle this action for a total of \$600,000.00, with a portion to be paid by Mr. Siokas to Cosmos (in the form of debt forgiveness) and the balance paid to Plaintiff's counsel as attorneys' fees. However, because the parties could not agree on what percentage of the settlement amount is to be paid to Plaintiff's counsel as attorneys' fees, the parties have also agreed that apportionment of the attorneys' fees should be decided by the Court pursuant to a fee application brought by Plaintiff. In furtherance of Plaintiff's application, the parties will meet and confer, and propose a briefing schedule to the Court early next week. We appreciate the Court's continued attention this matter. Thank you.

Respectfully submitted,

DAVIDOFF HUTCHER & CITRON LLP
*Attorneys for Defendant Grigorios Siokas,
and Nominal Defendant Cosmos Holdings,
Inc.*

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cc: All parties of record (Via ECF)

Hon. Sarah Netburn (Via Email)
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